

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-22915 of 2023

Date of decision: 23rd August, 2023

Avtar Singh @ Ranjit Singh @ Simranjeet Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Anshul Sharma, Advocate for the petitioner.
Mr. Jashanpreet Singh, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. This petition was filed seeking quashing of order dated 31.3.2009 in FIR No. 106 dated 1.10.2007, under Sections 406 and 420 IPC, registered at Police Station Mulepur, District Fatehgarh Sahib whereby the petitioner was declared as proclaimed offender.

2. On 8.5.2023, following order was passed:

“Learned counsel for the petitioner inter alia contends that the order dated 31.03.2009 (Annexure P-7) vide which the petitioner was declared a proclaimed offender does not comply with the provisions laid down under Section 82 of the Code of Criminal Procedure (for short the Cr.P.C.). Reference has also been made to the orders (Annexures P-4 to P-6) and it has been submitted that proclamation under Section 82 Cr.P.C., was ordered to be issued against the petitioner on 12.12.2008 for 02.02.2009. It has been submitted that the order dated 31.03.2009 (Annexure P-7) clearly notes that proclamation had been effected on 30.01.2009 and statement of the serving Constable had been recorded and the case was fixed for presence on 02.02.2009. He

further submits that the petitioner is willing to surrender before the Court and face trial, but apprehends that the moment he appears he shall be taken into custody in view of the order dated 31.03.2009 (Annexure P-7).

Notice of motion.

Mr. M.S. Nagra, A.A.G., Punjab, accepts notice on behalf of therespondent-State.

If the petitioner surrenders before the trial Court within a period of six weeks from today he shall be released on interim bail to the satisfaction of the Court concerned.

List on 23.08.2023”

3. Thereafter, vide order dated 8.8.2023, the petitioner was directed to surrender before the trial court on or before 22.8.2023.
4. Learned counsel for the petitioner submits that in compliance with order dated 8.8.2023, the petitioner surrendered before the trial court and was released on interim bail.
5. In view of the statement made by learned counsel for the petitioner, no further directions are called for.

The petition is disposed of as infructuous.

[AVNEESH JHINGAN]
JUDGE

23rd August, 2023
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1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No